



S/N 10/015,129

PATENT

Confirmation No. 1970

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Vij Rajarajan et al. Examiner: Cindy Nguyen
Serial No.: 10/015,129 Group Art Unit: 2171
Filed: December 11, 2001 Docket No.: MS167419.2/40062.0151USU1
Title: METHOD AND SYSTEM FOR QUERY-BASED MANAGEMENT OF
MULTIPLE NETWORK RESOURCES

CERTIFICATE UNDER 37 CFR 1.10:

"Express Mail" mailing label number: EV EV 118156010 US

Date of Deposit: February 22, 2005

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By: 

Name: Jennifer Weck

PETITION UNDER 37 CFR § 1.181 TO WITHDRAW ABANDONMENT AND ENTER A
REQUEST FOR CONTINUED EXAMINATION

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is a petition to withdraw abandonment for application serial number 10/015,129. Under 37 CFR 1181(a)(3), this petition is taken to invoke the supervisory authority of the Commissioner under appropriate circumstances.

The circumstances involve the above application being abandoned due to the United States Patent and Trademark Office's failure to timely deliver our Response to the Final Office Action to the Examiner.

Statement of Facts (37 CFR 1.181(b))

(1) A Final Office Action was mailed by the United States Patent and Trademark Office (PTO) on April 28, 2004.

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(2) A Response in reply to the April 28, 2004 Final Office Action was timely filed within two months of the date of the Final Office Action via Express Mail on June 28, 2004, along with a self-addressed, stamped return postcard. A copy of this Response is provided in Attachment A.

(3) The PTO stamped and mailed the originally submitted return postcard, thus indicating that the original Final Response was received, in fact, by the PTO on June 28, 2004. A copy of the postcard as received is provided in Attachment B.

(4) According to PAIR, the PTO Mailroom did not send the Final Response to the Examiner until October 16, 2004, some three and a half months after the Final Response was received by the PTO.

(5) A telephone interview with the Examiner on October 27, 2004, resulted in the Examiner indicating that she would complete an Office Action withdrawing the finality of the previous Final Office Action dated April 28, 2004 in order to prevent the case from becoming abandoned on October 28, 2004. During the interview, the Examiner specifically stated that her response would extend the time to respond and that the Applicants should not file an appeal or Request for Continued Examination until the Applicants had time to evaluate her arguments in the forthcoming Office Action.

(6) The undersigned Applicants' representative faxed a letter to the Examiner confirming the examiner's statement that the application would not be abandoned on October 28, 2004, and that Applicants' would be allowed time to respond to the Examiner's forthcoming Office Action (copy attached as Attachment C).

(7) An Advisory Action was mailed by the Examiner on November 2, 2004, wherein the finality of the previous Final Office Action was not withdrawn, nor was the time period for a reply extended. In fact, the Examiner's Advisory Action set a deadline for reply to October 28, 2004; a period that had already expired when the Advisory Action was mailed. The Advisory Action is attached as Attachment D.

(8) The undersigned Applicants' representative contacted the Examiner after receipt of the Advisory Action, at which time the Examiner requested the Applicants' file this Petition to Revoke.

It is Applicants' contention that the Response to Final Office Action dated April 28, 2004, was transmitted in a timely fashion to the PTO and was, in fact, received by the PTO. Consistent with the Manual for Patent Examining Procedure (MPEP) § 711.03(c), subsection I, Applicants contend that the application is not, in fact, abandoned. Therefore, Applicants submit that granting this petition requesting withdrawal of abandonment and entering the concurrently filed Request for Continued Examination is the appropriate course of action.

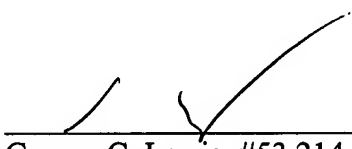
If there are any deficiencies associated with this petition, it is respectfully requested that Applicants be immediately notified so that an appropriate response may be submitted by the Applicants within the time period set forth in 37 CFR § 1.181(f).

In accordance with MPEP § 711.03(c), subsection I, it is believed that this petition does not require a fee. The appropriate fee is enclosed for the Request for Continued Examination. In the event that additional fees are required, the Commissioner is hereby authorized to charge any such fees to deposit account number 13-2725.

Respectfully submitted,

Dated: 2/22/05




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303.357.1648

S/N 10/015,129



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CERTIFICATE UNDER 37 CFR 1.10:

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Date of Deposit: June 28, 2004

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By: 

Name: Mary C. Noter

AMENDMENT

MS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action of April 28, 2004, please consider the following with respect to the above-identified application:

Amendments to the Claims are reflected in the listing of claims that begins on page 2 of this paper.

Remarks begin on page 4 of this paper.

Amendments to the Claims:

This listing of claims will replace all prior versions and listings of claims in the Application.

Listing of Claims:

1-11. (Cancelled)

12. (Previously Presented): In a network environment having a plurality of managers for use by a network administrator to manage multiple resources, each resource having data and capable of performing one or more tasks as directed by the network administrator that modify the resource, a computer program product readable by a computer and encoding instructions for executing a method, the method comprising:

receiving a notification that a new resource has been installed on the network environment;

retrieving search information associated with data and tasks of the new resource;

determining that a first portion of the search information relates to a first manager;

storing the first portion of the search information in a first manager data store;

determining that a second portion of the search information relates to a second manager; and

storing the second portion of the search information in a second manager data store.

13. (Currently Amended): In a network environment having a plurality of managers for use by a network administrator to manage multiple resources, each resource having data and capable of performing one or more tasks as directed by the network administrator that modify the resource, a computer program product readable by a computer and encoding instructions for executing a method, the method comprising:

receiving a notification that a new resource has been installed on the network environment;

retrieving search information associated with data and tasks of the new resource;

determining that a first portion of the search information relates to a first manager;

storing the first portion of the search information in a first manager data store;
determining that a second portion of the search information relates to a second
manager;
storing the second portion of the search information in a second manager data store;
~~A computer program product as defined in claim 12~~ wherein the notification includes the
search information.

14. (Currently Amended): In a network environment having a plurality of managers
for use by a network administrator to manage multiple resources, each resource having data and
capable of performing one or more tasks as directed by the network administrator that modify the
resource, a computer program product readable by a computer and encoding instructions for
executing a method, the method comprising:

receiving a notification that a new resource has been installed on the network
environment;
retrieving search information associated with data and tasks of the new resource;
determining that a first portion of the search information relates to a first
manager;
storing the first portion of the search information in a first manager data store;
determining that a second portion of the search information relates to a second
manager;
storing the second portion of the search information in a second manager data
store;

~~A computer program product as defined in claim 12~~ wherein the search information
relates to an object type managed by the first manager, the method further comprising:

determining whether the search information relates to an existing object of the
object type, the existing object including information from at least one second resource;
if so, associating the search information with the existing object; and
if not, associating the search information with a new object.

15-18. (Cancelled)

REMARKS

These remarks are responsive to the Final Office Action dated April 28, 2004. In that Office Action, claims 1-18 were examined, claims 1-5, 7-16 and 18 were rejected under 35 U.S.C. 102(e) and claims 6 and 17 were rejected under 35 U.S.C. 103(a). Reconsideration of the application is respectfully requested in light of the following amendments and remarks.

Telephone Interview on June 8, 2004

Applicants wish to thank the Examiner for the consideration extended to Applicants' representative during the telephone interview conducted on June 8, 2004, during which Applicants' representative and Examiners Nguyen and Amsbury discussed claims 12-14 with respect to the prior art. While no agreement was reached as to the merits of the case, it is believed that all involved came away with a better understanding of the present invention, the prior art and the examination process. At the Examiner's suggestion, Applicants herein amend claims 13 and 14 into independent form to make it easier for the Examiner to review the claims again.

Claim Amendments

Please cancel claims 1-11 and claims 15-18 without prejudice. Applicants reserve the right to pursue the subject matter of these claims in future continuing applications.

Please amend claims 13 and 14 to be rewritten in independent form as suggested by the Examiner to facilitate the Examiner's review of this case. Applicants submit that this amendment does not change the scope of claims 12-14, only their form. To the extent that this is beneficial to the Examiner in review after a Final Office Action, Applicants see no reason not to assist the Examiner in this way.

Claim Rejection under 35 U.S.C. 102(e)

The Examiner rejected claim 1-5, 7-16 and 18 were rejected under 35 U.S.C. 102(e) in view of Van Huben et al., U.S. Pat. No. 5,590,201 (hereinafter "Van Huben"). Applicants herein cancel claims 1-11 and 15-18, therefore the rejections of those claims are mooted until the Applicants file a continuing application to pursue that subject matter. With respect to claims 12-

14, Applicants respectfully traverse this rejection and ask the Examiner to consider the following arguments.

Under 35 U.S.C. § 102, a reference must show or describe each and every element claimed in order to anticipate the claims. *Verdegaal Bros. v. Union Oil Co. of California* 814 F.2d 628 (Fed. Cir. 1987) ("A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference."). Applicants believe that the Examiner has failed to show each and every element of claims 12-14 as required.

Regarding the First Element of Claim 12

The Examiner rejected the first element of claim 12 "receiving a notification that a new resource has been installed on the network environment" in which the Examiner provides only a citation to Col. 31, lines 18-38 of Van Huben and absolutely no discussion as to what in the citation provides the grounds for the rejection. The citation includes a discussion of providing notifications to users that user-initiated actions (referred to in Van Huben as "tasks") have been performed. The nature and purpose of this notification is clearly stated in Col. 31, lines 36-38 ("Successful operations also result in notification thus ensuring users possess situational **awareness of their data** at all times." emphasis added). This is distinctly different from the claimed element for at least two reasons. First, as the claim is a claim to a computer-implemented method, the claimed element is a notification to the computer, not to the user, that computer resource has been added to the network. Furthermore, Applicants' notification is not in response to a task initiated by the user, but rather in response to the installation of the new resource. Therefore, Applicants believe that the Examiner has failed to show this element of the claimed invention.

Regarding the Second Element of Claim 12

The Examiner rejected the second element of claim 12 "retrieving search information associated the data and tasks of the new resource" in which the Examiner provides only a citation to Col. 31, lines 18-38 of Van Huben and absolutely no discussion as to what in the citation provides the grounds for the rejection. Applicants' submit that Col. 31, lines 18-38 of Van

Huben relate only to a distributed library file system, and not to installing resources on a network environment.

An examination of the citation reveals as relevant only the sentence: “The Library Manager incorporates routines for properly installing any output created by an Automated Library Process into the [Data Management System].” Van Huben indicates that the “output” referred to here is purely a library data file in Col. 60, line 28 (“Note: [Automated Library Machines] only deal with file manipulation requests.”), and not a file in any way related to “tasks of the new resource” as claimed. Van Huben’s “output” also does not have any relationship to resources of the computing network other than being stored on some resource of the network. Furthermore, Van Huben’s “output” is not retrieved by Van Huben’s Library Manager, it is provided by the creating ALM to the Library Manager.

Therefore, the citation provided by the Examiner does not teach or disclose “retrieving search information associated the data and tasks of the new resource” as claimed.

Regarding the Third Element of Claim 12

The Examiner rejected the third element of claim 12 “storing the first portion of the search information in a first manager data store” in which the Examiner provides only a citation to Col. 32, lines 9-45 of Van Huben and absolutely no discussion as to what in the citation provides the grounds for the rejection. The cited material is a high level discussion of configurations of Automated Library Machines and the relative benefits of each configuration with respect to load balancing, data throughput, etc. First, Applicants would like to point out that Col. 32, lines 9-45 are not related to a method of installing resources on a network. Second, Applicants submit that there is no mention of storing any information provided in response to the installation of a resource on the network. The citation does include a reference to Van Huben’s Control Repository, but Van Huben states that this Repository “contains the control information for all components of the design” and preferably is a database. Note here that Van Huben’s “design” is not a computer network or a network environment of any kind, therefore the Control Repository cannot be considered analogous to a data store storing information related to the data and tasks of the resources of the network. The citation provided simply does not disclose storing a first portion of information as claimed.

Regarding the Fourth Element of Claim 12

The Examiner rejected the fourth element of claim 12 “determining that a second portion of the search information relates to a second manager” in which the Examiner provides only a citation to Col. 35, lines 30-55 of Van Huben and absolutely no discussion as to what in the citation provides the grounds for the rejection.

First, Applicants’ would like to point out that the previous citations were all to a section of Van Huben that discussed “The Preferred Embodiment of Managed Shared Libraries” (see, Col. 30, lines 42-43) and that this citation is to a section in Van Huben that relates to the “File Promotion Process” that Van Huben describes as the “process for promoting data from a private library into a shared public library as well as moving data through a shared public library” (see, Col. 32, lines 59-63). As such, Applicants submit that the entire section of Van Huben is unrelated to the installation of a new resource to a network environment and do not anticipate the Applicants’ invention as claimed.

The citation provided by the Examiner discusses how “files” are treated when a user initiates a promote operation and, particularly, the use of a search utility to select files for promotion. Van Huben’s promotion scheme is very different from the claimed element for several reasons.

The claimed invention is limited to handling search information retrieved from a new resource in response to its installation on a network. This citation in Van Huben is related to the management of data files in a library scheme and is unrelated to the installation of a new resource. The files are neither new, or newly installed on the system – promotion is based on a user’s determination as to the completeness of the file.

Applicants’ agree that Van Huben’s system determines how to promote the “files” (although based at least in part on user input), but submit that this is not analogous to determining that a portion of the search information relates to a second manager. In Van Huben, each “file” is treated as a stand-alone element that is managed atomically and managed identically regardless of what resource it is stored on. Different portions of the “file” are never singled out as relating to a different resource. And in no case is a “file” split up and portions saved in different locations because of the nature of its contents. Van Huben’s system would not function if file integrity were not maintained.

The “files” in Van Huben do not contain information about data and tasks that may be performed by a new resource. Van Huben’s “files” are solely data files related to a design managed by the Design Control System.

Furthermore, Van Huben’s “files” were not retrieved as part of an installation process. The “files” are found in response to a user-initiated promotion request in which the network supporting the Design Control System is static.

Regarding the Fifth Element of Claim 12

The Examiner rejected the fifth element of claim 12 “storing the second portion of the search information in a second manager data store” in which the Examiner provides only a citation to Col. 39, lines 10-25 of Van Huben and absolutely no discussion as to what in the citation provides the grounds for the rejection. The citation provided discusses the overriding by a user of promotion processes. As discussed above, Van Huben’s promotion process is related to the movement and classification of data files and is unrelated to the installation of new resources on a network.

In the Examiner’s citation, a user can select and modify process parameters displayed in response to his promotion request query (see, Col. 39, lines 16-20). These processes all relate to how the file is to be classified with respect to the overall design. One important difference between Van Huben’s “files” and the claimed search information is that Van Huben’s files are always treated as complete units in that the files, regardless of how the user decides they are to be processed, are not divided up and portions saved in different locations.

Applicants’ claims, on the other hand, require that a first portion of the search information be stored in a first data store and that a second portion be stored in a second data store. Furthermore, Applicant’s search information is retrieved from the new resource, not provided by a user. Other differences between Applicant’s search information and Van Huben’s files are described above. For at least these reasons, this element of Applicants’ claimed invention is patentably distinguished from Van Huben.

Regarding Claim 13

The Examiner rejected an additional element of claim 13 “wherein the notification includes the search information” in which the Examiner provides only a citation to Col. 31, lines

18-38 of Van Huben and absolutely no discussion as to what in the citation provides the grounds for the rejection. While Applicants believe claim 12 is in allowable form and, thus, claim 13 is therefore allowable for the reasons described above, Applicants further traverse the Examiner's rejection of the element "wherein the notification includes the search information" in claim 13. In addition to the discussion of the differences between the Col. 31, lines 18-38 of Van Huben citation with respect to claim 12, Applicants' respectfully traverse the Examiner's rejection for additional reasons.

Van Huben's notifications as described in the citation are simple indicates of whether a task by the computer system has been successfully performed or not. First, Applicants' point out that the Examiner's citation is silent as to the contents of the notification beyond these generalisms. Second, Applicant's point out that the notifications described by Van Huben are unrelated to queries or searches, whether they be performed by a user or by the computing system. As such, Van Huben does not teach or disclose receiving a notification that includes search information as claimed in claim 13. For at least this reason, Applicants respectfully request that Claim 13 be allowed.

Regarding Claim 14

The Examiner rejected the three elements of claim 14 ("determining whether the search information relates to an existing object of the object type, the existing object including information from at least one second resource; if so, associating the search information with the existing object; and if not, associating the search information with a new object") in which the Examiner provides only a citation to Col. 35, line 1 to Col. 36, line 5 of Van Huben and absolutely no discussion as to what in the citation provides the grounds for the rejection. While Applicants believe claim 12 is in allowable form and, thus, claim 14 is therefore allowable for the reasons described above, Applicants further traverse the Examiner's rejection of the additional elements in claim 14. In addition to the discussion of the differences between the to Col. 35, line 1 to Col. 36, line 5 of Van Huben citation with respect to claim 12, Applicants' respectfully traverse the Examiner's rejection for additional reasons.

Applicants' claim 14 is basically an if-then-else statement regarding where to store the search information. In one case, the search information is stored in an existing object; in another, the search information is stored in a new object that is created, in response to the

installation of the resource, to hold the search information. The specification defines objects as being managed by a resource, but possibly containing information relating to many different resources.

The citation to Van Huben refers to the promotion process as previously described. This may be achieved by moving a “file” (or a related group of files) into a public library (a “Put”) or by moving the file “through a public library” (a “Promote”) (see, Col. 35, lines 58-60 “A Put refers to data entering a public library from a private library whereas a Promote refers to data moving through a public library.”). In both cases, the files are previously associated with a specific “design.” However, by “design” Van Huben means an engineering design, such as for example a computer chip design. Van Huben’s “design” is unrelated to and does not contain information regarding the computing environment upon which the Van Huben’s Design Control System itself is implemented.

Van Huben’s “files” are not search information as that term is defined in the specification. The files do not contain information regarding the data and tasks of a newly installed resource on the network.

Nor are Van Huben’s “designs” analogous to objects as that term is defined in the specification. Access to a “design” does not allow a user change anything other than the design and certainly does not allow the user to modify the network upon which the Design Control System is implemented.

Furthermore, the simple analogy between the two does not stand for other reasons. In Van Huben, a new design is not created when a file is put or promoted that is previously un-associated with a design (see, Col. 35, lines 38-39 “If any of these fields are invalid or missing, the user is prompted to enter the information.”).

Van Huben is Non-Analogous Art

An underlying theme to the arguments presented above is that Van Huben is non-analogous art. As set forth in § 2141.01(a) of the M.P.E.P.:

In order to rely on a reference as a basis for rejection of an applicant's invention, the reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the inventor was concerned. In re Oetiker, 977 F.2d 1443, 24 USPQ2d 1443, 1445 (Fed. Cir. 1992). See also In re

Deminski, 796 F.2d 436, 230 USPQ 313 (Fed. Cir. 1986); In re Clay, 966 F.2d 656, 659, 23 USPQ2d 1058, 1060 - 61 (Fed. Cir. 1992) ("A reference is reasonably pertinent if, even though it may be in a different field from that of the inventor's endeavor, it is one which, because of the matter with which it deals, logically would have commended itself to an inventor's attention in considering his problem"); and Wang Laboratories Inc. v. Toshiba Corp., 993 F.2d 858, 26 USPQ2d 1767 (Fed. Cir. 1993).

The Applicants' invention as claimed in claims 12-14 is directed to a method of installing a new resource into a network. Van Huben's invention is directed to a data management system tailored to managing data files associated with a complicated engineering design. While the language used may sound similar, the inventions are quite different and the problems addressed are unrelated. Therefore, Applicants believe that the rejection should be withdrawn and that the Examiner find the claims in an allowable form.

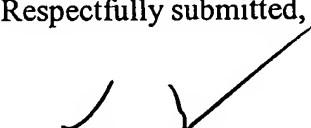
Conclusion

As a result of this amendment, claims 12-14 remain pending in this application. This amendment is believed to be fully responsive to all points in the Office Action. Pending claims 12-14 are believed to be in a condition for allowance. In view of the above amendments and remarks, Applicant respectfully requests a Notice of Allowance. If the Examiner believes a telephone conference would advance the prosecution of this Application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

Dated: 6/28/04



Respectfully submitted,


George C. Lewis, #53,214
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In re Application of: Vij Rajarajan et al.

For: METHOD AND SYSTEM FOR QUERY-BASED MANAGEMENT OF MULTIPLE NETWORK RESOURCES

Docket No.: MS167419.2/40062.151USU1

Serial No.: 10/015,129

Filed: December 11, 2001

Due Date:

Express Mail No.: EV199954003US

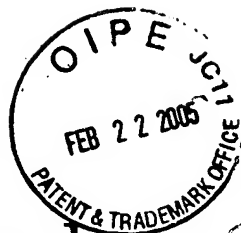
Date Mailed: June 28, 2004

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Amendment
- ☒ Return postcard

Patent



GCLewis/mcn



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A Professional Corporation

October 27, 2004

VIA FAX
No Confirmation via mail

Cindy Nguyen
USPTO
P.O. Box 1450
Alexandria, VA 22313-1450

Re: Telephone Call Confirming Mailing of Office Action
U.S. Application Serial No. 10/015,129
Docket Number MS167419.2/40062.151USU1

Dear Examiner Nguyen;

This fax confirms the telephone call we just had in which I was concerned that this case, U.S. Application Serial No. 10/015,129, Rajarajan et al., might go abandoned due to the PTO mail room's delay in delivering our timely filed Amendment After Final to you. In the telephone call, you indicated that you have completed an Office Action withdrawing the finality of the previous Final Office Action dated 4/28/04 and therefore the case will not go abandoned tomorrow. Based on this information, I will not file any additional papers in this matter, but rather await receipt of your Office Action.

I would like to thank you again for your assistance with this matter. It is a pleasure working with you.

Sincerely,

George C. Lewis, P.E.
Reg. No. 53,214

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/015,129	12/11/2001	Vij Rajarajan	MS167419.2/40062.151USU1 ✓	1970

27488 7590 11/02/2004
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EXAMINER

NGUYEN, CINDY

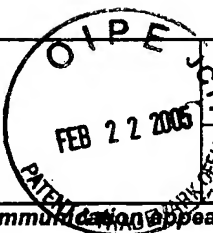
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DATE MAILED: 11/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

SV SK

Advisory Action

Application No.

10/015,129

Applicant(s)

RAJARAJAN ET AL.

Examiner

Cindy Nguyen

Art Unit

2161

—The MAILING DATE of this communication appears on the cover sheet with the correspondence address —

THE REPLY FILED 28 June 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY (check either a) or b)]

- a) ☒ The period for reply expires 4 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____.

Claim(s) objected to: _____.

Claim(s) rejected: 12, 13, 14.

Claim(s) withdrawn from consideration: _____.

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____

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Continuation of 5. does NOT place the application in condition for allowance because: Applicant arguments are not persuasive. The claims (e.g. claim 12) do not specify that the claimed element is notification to the computer and the term "a notification that a new resource has been installed on the network" is only in the claims, no description for that term in the specification.

Applicant argues: Van Huben doesn't disclose retrieving search information associated the data and tasks of the new resource. In response, Van Huben discloses: retrieving search information associated the data and tasks of the new resource as auto reader service machines which means when the resource have been installed in the library, the service machines have (retrieve) information and task of new resource and capable to performing virtually any software task (see also col. 32, lines 46-51) .

Applicant argues: Van Huben doesn't disclose storing the first portion and second portion of the search information in a first manager and data store and second manager data store respectively. In response, Van Huben discloses: storing the first portion of the search information in a first manager data store as automatic library machines (managers) control information and stored information into a data structure along with all pertinent control information (see col. 39, lines 65 to col. 40, lines 11) .

Applicant argues: Van Huben doesn't disclose determining that the second portion of the search information relates to a second manager. In response, Van Huben discloses: determining that the second portion of the search information relates to a second manager (see col. 37, lines 8-15) .

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